

Application Serial No. 10/035,047
Amendment dated October 31, 2003
Reply to Office Action dated May 2, 2003

REMARKS/ARGUMENTS

Claims 1-19 are pending in the application. The Examiner rejected Claims 1, 4, 7, 11, and 13-18. The Examiner has objected to Claims 2, 3, 5, 6, 8-10, 12, and 19.

Claim Objections

Applicants have amended Claim 1 to overcome the Examiner's objection thereto.

Claim Rejections Under 35 U.S.C. § 112

Applicants have amended Claims 13 and 15 to overcome the Examiner's rejection of Claims 13-17 under 35 U.S.C. § 112, second paragraph. Applicants have also amended Claims 2, 6, and 12 to provide proper antecedent basis for each of these claims.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected Claims 1, 13, and 18 under 35 U.S.C. § 102(e) as being anticipated by Hawkins et al. (U.S. Patent No. 6,361,684). Applicants herewith file a Declaration under 37 C.F.R. § 1.131 to swear behind Hawkins '684, thereby removing Hawkins '684 as prior art. Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of Claims 1, 13, and 18 and submit that these claims are in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected Claims 4 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Hawkins et al. (U.S. Patent No. 6,361,684) in view of Pringham (U.S. Patent No. 2,881,749). The Examiner rejected Claims 7 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Hawkins et al. (U.S. Patent No. 6,361,684).

Applicants have prepared a 1.131 Declaration and enclose herewith a copy thereof which is signed by one of the inventors, Mr. Larry J. Tipton. Applicants have also expended a great deal of effort to have the second inventor, David E. Winn, execute the Declaration. Mr. Winn has indicated a willingness to execute the Declaration but has been out of the office. Enclosed herewith please find three (3) E-mails. The first E-mail is dated October 23, 2003, from Mr.

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Richard Harvey to Mr. David Winn. Mr. Winn is no longer employed by the assignee of the instant application, Federal Mogul World Wide, Inc. The second E-mail is dated October 30, 2003, from Michelle Davis, a paralegal with the firm of Baker & Daniels, the firm in which the undersigned attorney is a partner. The third E-mail is a response by Mr. Winn to the E-mail dated October 30, 2003 indicating that he would be out of the office until November 3, 2003, the day after the instant response is due in this patent application. Applicants will forward a copy of the Declaration Under 37 C.F.R. 1.131 executed by Mr. David Winn as soon as possible.

In view of the 131 Declaration which removes Hawkins '684 as prior art against the current application, Applicants respectfully submit that the § 103(a) rejections are improper and respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections of Claims 4, 7, 11, and 15 and submit that these claims are in condition for allowance.

Allowable Subject Matter

Applicants note the Examiner's indication of allowable subject matter in Claims 2, 3, 5, 6, 8-10, 12, 14, 16, 17, and 19, and, in view of the above arguments, respectfully submit that these claims are in condition for allowance.

Specification

Applicants respectfully submit modified paragraphs [0018] and [0019] to correct minor informalities.

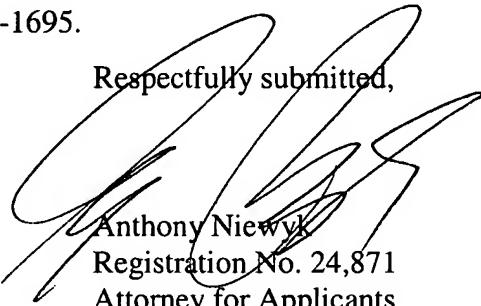
It is believed that the above represents a complete response to the Official Action and reconsideration is requested. Applicants respectfully submit that all claims define over the prior art and are now in condition for allowance and such action is earnestly solicited.

In the event Applicants have overlooked the need for an Extension of Time or payment of fee, Applicants hereby petition therefor and authorize any charges to be made to Deposit Account No. 02-0385, Baker & Daniels.

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If any questions concerning this application should arise, the Examiner is encouraged to telephone the undersigned at 260-460-1695.

Respectfully submitted,



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AN/mh

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Encs. Declaration
Three (3) E-mails
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